

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6059

BILL NUMBER: HB 1248

NOTE PREPARED: Jan 25, 2008

BILL AMENDED: Jan 22, 2008

SUBJECT: Law Enforcement Continuing Education Program Court Fee.

FIRST AUTHOR: Rep. Austin

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill;

- (1) Increases the law enforcement continuing education program court fee from \$3 to \$6;and
- (2) Provides that under certain circumstances, certain motor vehicles titled outside of Indiana do not need an inspection in order for an Indiana title to be issued.

Effective Date: July 1, 2008.

Explanation of State Expenditures: (Revised) (2) For the State Police eliminating the need for some vehicle inspections would mean a reduction in staff time associated with the inspection of the vehicles titled out of state. The impact is indeterminable. The funds affected are the state General Fund, the Motor Vehicle Highway Account, and the Motor Carrier Regulation Fund, all of which support the State Police.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) (2) For local law enforcement agencies, there will be a reduction in staff time associated with the inspection of the vehicles titled out of state. The impact is indeterminable.

Explanation of Local Revenues: (1) Based on the patterns of dispositions for criminal, infractions, and ordinance violation cases, doubling the law enforcement continuing education program court fee from \$3 to \$6 could bring in new money of an estimated \$1.9 M within 24 to 36 months.

This fee is collected in all criminal, infraction, and ordinance violation actions when a defendant is found to have committed a crime, (1) committed a crime; (2) violated a statute defining an infraction; or (3) violated an ordinance of a municipal corporation.

Revenue from the law enforcement continuing education program court fee is deposited into a county user fee fund (IC 33-37-8-5) if the case was decided in a trial court or in a city or town user fee fund (IC 33-37-8-3) if the case was decided in a city or town court. Money from this fee is used for continuing education programs for local law enforcement agencies.

Estimated New Revenue Deposited in County and City and Town User Fee Funds by Increasing Law Enforcement Continuing Education Program Court Fee from \$3 to \$6			
	Trial Courts	City and Town Courts	Total Revenue
Felonies and Misdemeanors	\$151,330	\$66,196	\$217,526
Infractions & Ord. Violations	\$1,253,464	\$436,404	\$1,689,868
Total New Revenue Statewide	\$1,404,794	\$502,600	\$1,907,394

Since fees for noncivil cases are paid when a judge or jury decides whether a defendant is guilty, it will likely take at least 24 to 36 months for the state to receive the full \$1.9 M. This is because a case may be filed in one reporting year, but the outcome may not be determined until the next year.

(Revised) (2) The Indiana Sheriffs' Association reports that there may be a few sheriffs in the state who charge for the inspection, therefore resulting in the potential loss of revenue of an indeterminable amount.

State Agencies Affected:

Local Agencies Affected: Local law enforcement agencies.

Information Sources: Indiana Code, *Indiana Judicial Reports, 2001 - 2005*; Doug Gosser, Indiana Sheriffs' Association, 317-356-3633.

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